Lake Mich Dist
Lehrer
Tn Buchanan
Sud

September 29, 1975

4410

RECEIVED DNR
OCT 1 1975
Lake Mich. Dist.

Mr. James Lehrer
Lehrer Sanitary Service #73
1604 Crook Avenue
Kaukauna, Wisconsin 54130

Dear Mr. Lehrer:

On August 26, 1975, Order Number 2A-75-1045 was issued to you by the Department of Natural Resources. It has been noticed, after a close review of the order, that provision number 4 of the order section has a mistyped date in it. The date for submission of an acceptable abandonment plan under that alternative should be April 1, 1976 and not April 1, 1975. Therefore, order provision number 4 is hereby amended to read as follows:

"4. In lieu thereof, or in the event that the hydrogeologic investigation indicates that the area is not suitable for continued operation of a solid waste disposal facility, the order recipient shall by April 1, 1976, submit to the Department of Natural Resources an acceptable abandonment plan for the complete and total abandonment of said facility by October 1, 1976. The order recipient shall then terminate said operation and close and abandon said solid waste disposal facility in accordance with ss NR 151.12(10), Wisconsin Administrative Code, and the approved abandonment plan delineated above."

Dated at Madison, Wisconsin, this 29th day of September, 1975.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By______________________________
Andrew C. Damon, Acting Administrator
Division of Enforcement

cc: Lake Michigan District

00722

SEP 29 1975

To Buchanan
Lehrer.

Green Bay

September 22, 1975 4410-2

TO: Chuck LeVeque

FROM: Gary F. Kulibert

SUBJECT: Jim Lehrer's Landfill Site

On September 15, 1975, I inspected Jim Lehrer's landfill site. At the time of the inspection many things were being done to comply with the Memorandum of Understanding. As of that inspection, I have figured out the number of days of violations of each provision of the order. Provisions 1-A and 1-B were complied with. Provision 1-C requires daily cover. This has been complied with on a day or two throughout last year. However, the demolition material and other wastes over by the incinerator have never been covered on a daily basis. Therefore, you could say that this provision, 1-C, has never been complied with as of this date. Provision number 2 has been complied with. Provision number 3-A has been complied with in certain areas; however, there has been a continued violation of this provision over by the old incinerator. Provision 3-A is the same thing. Areas over by the old incinerator have not been covered with six inches of earth material so that some areas in the fill have never been covered. Provision 3-C has been compromised with. It was agreed that they would maintain the erosion control in this area of the creek until additional cover was brought in. There is no violation here. Number 3-D - the violation ran from September 7, 1974, past April 23, 1975. However, the exact date of providing the screening was not known. Provision number 4 has been complied with. Provision number 5-A, the removal of salvageable material, has not been completely complied with. All salvageable material should be removed within the next week.

Therefore, provision 1-C has been in violation for 404 days. Provision 3-A has been in violation for 373 days, provision 3-B has been in violation 373 days, provision 3-D has been in violation at least 229 days, and provision 5-A has been in violation 340 days, for a total of 1,720 days of violations, as of September 15, 1975.

GFK:jp

NOTED:

____________________ __________
Date

00721

+V Buchanan
Lehrer.

Green Bay

September 18, 1975 4410-2

TO: Chuck LeVeque

FROM: Gary F. Kulibert

SUBJECT: James Lehrer - Lehrer Sanitation Service

On September 15, 1975, I inspected Lehrer's landfill site to see if the conditions and the memorandum of understanding agreed upon with the Attorney General's office have been met. As a result of this inspection, the following comments will be made of each of the points:

1. The recipient has not completely abandoned that area of paper mill sludge and shredder waste near the incinerator. This work is approximately 3/4 completed. On talking with a representative of Lehrer's, he indicated that the work should be done by the end of this week. Difficulty in completing this covering was realized when the area received large amounts of rain within the last several weeks.
2. Mr. Lehrer is in the process of mixing the bark waste with this municipal refuse and covering it on a daily basis.
3. The defendent is disposing the sludge in the manner outlined. Sludge is disposed, then covered with shredded mill refuse, and then covered after every day of operation, with adequate cover material. The large paper mill sludge area has been approximately 3/4 completed.
4. Provision four is being taken care of in an acceptable manner.
5. The defendent is removing all salvageable materials which were disposed in the ravine. Any residue will then be properly covered and the area abandoned.
6. The defendent has compacted and pushed over the demolition material at the incinerator site. However, it has not been covered. This material will be covered within the next several days.

On reviewing this site it is noted that a substantial amount of work has been done to comply with this memorandum of understanding. Due to inclement weather, it was not possible to meet these deadline dates. However, I feel that Mr. Lehrer is making an honest effort. This site will be reinspected again within the next week and a half to see if many of the areas have been completed as required by this agreement.

GFK

GFK:jp

NOTED:

00720

Date

TW Buchanan
Sud
Lehrer

September 12, 1975

4400

RECEIVED DNR
SEP 15 1975
Lake Mich. Dist.

Mr. John S. Buchanan
508 East 20th Street
Kaukauna, Wisconsin 54130

Dear Mr. Buchanan:

Here is another copy of the letter I sent you in answer to your original letter in case you have not received it. Also enclosed is a copy of a stipulation between the State of Wisconsin and Mr. Lehrer regarding his operation and other relevant correspondence.

My apologies for the delay in answering your original letter. However, between personal family problems and the thoughtfulness of your letter deserving a more than casual reply, the reply was not as prompt as you may have wished.

Your interest in this case is appreciated as well as your bringing this to the attention of a number of elected officials. Unfortunately, most contacts with the public and elected officials are in regard to not proceeding with action against a bad situation. Most contacts are on the part of the violator seeking to bring pressure on the Department not to take action because of increased cost to the violator or because they feel the Department has too much power over such operations.

If Mr. Lehrer follows through on the points contained in the stipulation, some relief to your concerns should be available by late September.

Your interest in this matter is appreciated.

Sincerely,
Bureau of Air Pollution Control
and Solid Waste Management

John J. Reinhardt

John J. Reinhardt, Chief
Solid Waste Management Section

JJR:bf
Enc.
cc: Governor Patrick J. Lucey
Senator Thomas Petri
Representative William J. Rogers
O. D. Williams
Lake Michigan District

00719

Date September 11, 1975
Purchase Order No.
Statement No.

Lehrer Trucking Inc.

1604 Crooks Ave.
KAUKAUNA, WIS. 54130
Phone 766-2758

Gary F. Kulibert
Box 3600
812 S. Fisk Street
Green, Bay, WI 54303

RECEIVED DNR
SEP 1 2 1975
Lake Mich. Dist.

Dear Sir,

This is a progress report as to how we're progressing in our time table agreed upon at the meeting in Madison. Well we didn't get the refuse covered on the south portion of our property. This phase is about 50% completed. I'd contribute this to rain and wet conditions. We made several stabbing attempts to complete this but failed, it just doesn't quit raining.

We are transporting scrap metal from the sight and have removed about 30% of this. All the demolishen material is removed and covered.at this time. As to the sight where we are working, we've been able to cover 90% of this with earth. We're reducing our plastic pile and another load is scheduled to go soon. In general I'd say things in view of circumstances are going quite well.

Yours truly,
Lehrer Trucking, Inc

James Lehrer
James M. Lehrer

00718

Date August 29, 1975
Purchase Order No.
Statement No.

Lehrer Trucking Inc.

1604 Crooks Ave.
KAUKAUNA, WIS. 54130
Phone 766-2758

RECEIVED DNR
SEP 2 1975
Lake Mich. Dist.

Gary F. Kulibert
Box 3600, 1812 S. Fisk St.
Green Bay, WI 54303

Dear Sir,

In our meeting of August 7, 1975 with the Attorney General and the DNR, our time table was set for covering of mill sludge and uncovered material in the south portion of our sight. This time table states by Sept. 10, 1975 complete covering must be done. At this time we were confident we could complete this phase of our agreement.

Today Sept. 10 doesn't look like this portion can be completed. The reasons for this is one week of rain prior to the 4" to 5" inches of rain recieved August 28 and 29th. This down pour just about wiped our hopes out of any completion of this at that date. We are still making a effort for the completion at Sept. 10. Hopefully we can complete at that date if the weather cooperates. If not, I may need more time to do this job. I beg of you to please bear with us in conditions like this. Thank you.

Yours truly,
Lehrer Trucking, Inc

James Lehrer
James M. Lehrer

00717